



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

09/272,955

03/19/1999

ALBERT D. BAKER

15-5-2-5-4

6330

7590

05/13/2002

Joseph B. Ryan
Ryan, Mason & Lewis LLP
90 FOREST AVENUE
LOCUST VALLEY, NY 11560

EXAMINER

LAO, LUN YI

ART UNIT

PAPER NUMBER

2673

DATE MAILED: 05/13/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/272,955

Applicant(s)

Baker et al

Examiner

Lao, Lunyi

Art Unit

2673

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Apr 18, 2002
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above, claim(s) 9 and 19 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6-8, 10-14, 16-18, and 20-22 is/are rejected.
- 7) ☒ Claim(s) 5 and 15 is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other:

Art Unit: 2673

DETAILED ACTION

Claim Rejections - 35 U.S.C. § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

2. Claims 1-4, 6-8, 10-14, 16-18 and 20- 22 are rejected under 35 U.S.C. 102(e) as being anticipated by Suzuki et al(5,965,655).

As to claims 1-4, 6-8, 10-14, 16-28 and 20- 22 , Suzuki et al teach a method for controlling a terminal(1100a or 1100b or 2100) on a communication system comprising the steps of utilizing an automated set of operations(operation program in terminals) to generate information representative of a first state machine(1100a); and a second state machine(1100b) for controlling a first set of labels for soft-label keys(1A-1D)(Japanese characters) of the first terminal with a first user and a second set of labels for soft-label keys(1A-1D)(English characters) (see figures 2-4D, 5-9; 24, 25, 28; column 4, lines 35-68; columns 5-7; column 8, lines 1-5 and column 28, lines 15-39).

Art Unit: 2673

As to claims 11 and 22, Suzuki et al teach a memory(1109 or 1219) for storing at least a portion of information(see figures 26, 27 and column 24, lines 10-15 and lines 41-43).

As to claims 8 and 18, Suzuki et al teach a method for generating different set of operations for different state machine(see figures 3, 25).

As to claims 10 and 20-21, Suzuki et al teach the set of operations are implemented at least in part in software associated with a switch of the system(see figures 24-26; column 23, lines 27-68 and column 24, lines 1-20).

Allowable Subject Matter

3. Claims 5 and 15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

4. Applicant's arguments filed on April 18, 2002 have been fully considered but they are not persuasive. .

Art Unit: 2673

Applicants argue that Suzuki et al do not teach a first and second state machines produce different soft-labeled key displays for the respective first and second terminals on page 5. The examiner disagrees with that since Suzuki et al teach such feature(see column 28, lines 35-39).

Applicants argue Suzuki does not teach a control table specifying a set of label identifiers for each of at least a subset of the plurality of states of the terminal, and a label table specifying, for each of at least a subset of the labels identified by a given one of the label identifiers, a character string corresponding to the label, a feature identifier associated with the label, and presentation attribute on page 6. The examiner disagrees with that since Suzuki teaches a control table(see figures 5-9) specifying a set of label identifiers(MEMORY CALL, RE-DIAL, AND AUX.FUNCTION) for each of at least a subset of the plurality of states of the terminal(MEMORY CALL STATE, RETURN STATE), and a label table specifying, for each of at least a subset of the labels(e.g. CALL, RETURN) identified by a given one of the label identifiers(RE-DIAL), a character string(RE-DIAL) corresponding to the label, a feature identifier associated with the label, and presentation attribute(see figures 5-9 and column 28, lines 15-39).

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

Art Unit: 2673

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lun-yi, Lao whose telephone number is (703) 305-4873.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin Shalwala, can be reached at (703) 305-4938.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

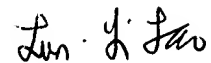
Any inquiry of a general nature or relating to the status of this application or proceeding

Art Unit: 2673

should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

May 10, 2002

Lun-yi Lao

A handwritten signature in black ink, appearing to read "Lun-Yi Lao".

Lun-Yi Lao
Primary Examiner